



**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OLEM-2018-0392, FRL-10847-01-OMS]**

**Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Requirements and Exemptions for Specific RCRA Wastes (Renewal)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), Requirements and Exemptions for Specific RCRA Wastes (EPA ICR Number 1597.14, OMB Control Number 2050-0145) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through March 31, 2023. Public comments were previously requested via the *Federal Register* on July 15, 2022 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

**DATES:** Comments may be submitted on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

**ADDRESSES:** Submit your comments, referencing Docket ID Number EPA-HQ-OLEM-2018-0392 to EPA online using [www.regulations.gov](https://www.regulations.gov) (our preferred method or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460. EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Submit written comments and recommendations to OMB for the proposed information collection within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](https://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review - Open

for Public Comments" or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Peggy Vyas, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: 202-566-0453; [vyas.peggy@epa.gov](mailto:vyas.peggy@epa.gov).

**SUPPLEMENTARY INFORMATION:** This is a proposed extension of the ICR, which is currently approved through March 31, 2023. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Public comments were previously requested via the *Federal Register* on July 15, 2022 during a 60-day comment period (87 FR 42462). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov) or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

*Abstract:* In 1995, EPA promulgated regulations at 40 CFR part 273 that govern the collection and management of widely generated hazardous wastes known as "Universal Wastes". Universal Wastes are generated in a variety of non-industrial settings and are present in non-hazardous waste management systems. Examples of Universal Wastes include certain batteries, pesticides, mercury-containing lamps, and thermostats. The part 273 regulations are designed to ensure facilities collect these wastes and properly manage them in an appropriate hazardous waste management system. EPA needs to collect notifications of Universal Waste management to obtain general information on these handlers and to facilitate enforcement of the part 273 regulations. EPA promulgated labeling and marking requirements and accumulation time limits to ensure that Universal Waste is being accumulated responsibly. EPA needs to collect

information on illegal Universal Waste shipments to enforce compliance with applicable regulations. Finally, EPA requires tracking of Universal Waste shipments to help ensure that Universal Waste is being properly treated, recycled, or disposed.

In 2001, EPA promulgated regulations in 40 CFR part 266 that provide increased flexibility to facilities managing wastes commonly known as “Mixed Waste.” Mixed Wastes are low-level mixed waste (LLMW) and naturally occurring and/or accelerator-produced radioactive material (NARM) containing hazardous waste. These wastes are also regulated by the Atomic Energy Act. As long as specified eligibility criteria and conditions are met, LLMW and NARM are exempt from the definition of hazardous waste as defined in part 261. Although these wastes are exempt from RCRA manifest, transportation, and disposal requirements, facilities must still comply with the manifest, transportation, and disposal requirements under the NRC (or NRC-Agreement State) regulations. Section 266.345(a) requires that generators or treaters notify EPA or the Authorized State that they are claiming the Transportation and Disposal Conditional Exemption prior to the initial shipment of a waste to a LLRW disposal facility.

In 1992, EPA finalized management standards for used oils destined for recycling. The Agency codified the used oil management standards at 40 CFR part 279. The regulations at 40 CFR part 279 establish, among other things, streamlined procedures for notification, testing, labeling, and recordkeeping. They also establish a flexible self-implementing approach for tracking off-site shipments that allow used oil handlers to use standard business practices (e.g., invoices, bill of lading). In addition, part 279 sets standards for the prevention and cleanup of releases to the environment during storage and transit. EPA believes these requirements will minimize potential mismanagement of used oils, while not discouraging recycling. Used oil transporters must comply with all applicable packaging, labeling, and placarding requirements of 49 CFR parts 173, 178, and 179. In addition, used oil transporters must report discharges of used oil according to existing 49 CFR part 171 and 33 CFR part 153 requirements.

*Form Numbers:* None.

*Respondents/affected entities:* Private sector and State, local, or Tribal governments.

*Respondent's obligation to respond:* Mandatory (40 CFR part 273), required to obtain or retain a benefit (40 CFR parts 266 and 279).

*Estimated number of respondents:* 27,127 (total).

*Frequency of response:* On occasion.

*Total estimated burden:* 530,478 hours (per year). Burden is defined at 5 CFR 1320.03(b)

*Total estimated cost:* \$56,792,139 (per year), which includes \$950 in annualized capital and \$10,013,038 in annualized operation & maintenance costs.

*Changes in the Estimates:* There is a decrease in the burden of 264,872 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This decrease is a result of a significant downturn in the number of Universal Waste handlers (down to 25,343 from 131,898), likely due in part to the effects of the COVID pandemic.

**Courtney Kerwin,**

*Director, Regulatory Support Division.*

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